

CP970.03
L25s

The 1797 North Carolina Land Swindle
Ira D. Landis

THE LIBRARY OF THE
UNIVERSITY OF
NORTH CAROLINA



THE COLLECTION OF
NORTH CAROLINIANA
Transferred from Department
of Archives and History

Cp970.03
L25s

UNIVERSITY OF N.C. AT CHAPEL HILL



00032203213

**This book must not
be taken from the
Library building.**

MENNONITE HISTORICAL BULLETIN

Published quarterly by the Historical Committee of Mennonite General Conference. Editors: John C. Wenger, Goshen, Indiana and Melvin Gingerich, North Newton, Kansas. Associate Editors: S. F. Coffman, H. S. Bender, J. B. Smith, C. Z. Mast, J. C. Clemens, Ira D. Landis, Paul Erb and H. A. Brunk. Office Editor: Paul Erb. Publication Office: Scottsdale, Pennsylvania.

Vol. VII

MARCH, 1946

No. 1

Brief Sketch of the Life and Work of J. D. Brunk

MARY BERKMAN

March 13, 1872, mark the birth date of John David Brunk, whose name will live on in the history of the Mennonite Church. John D. Brunk was born near Harrisonburg, Virginia, and spent most of his childhood in that vicinity. As a boy he had always dreamed of working with music, and even as a very young child, his keen interest centered about that art.

At the age of sixteen he accepted Christ and united with the Weaver Mennonite Church, remaining an active member his entire life. On September 2, 1897, he was united in marriage to Mary Kate Martin of near Hagerstown, Maryland, and to this union were born eight children: Salome, 1898; Harry Samuel, 1899; Carreño, 1901; Hermione, 1903; John Milton, 1904; Niemann Artler, 1906; Fannie Susan, 1908; and Mary Elizabeth, 1913.

When Elkhart Institute opened its music department in 1895, J. S. Coffman asked Brunk to come to Elkhart to head the department; but since he had not finished his academy work at that time Brunk felt that he was not prepared for the work. That same year he completed his work at the West Central Academy, Mt. Clinton, Virginia, and the following winter he attended the New England Conservatory at Boston.

In 1897, the year of his marriage, he moved to Mt. Clinton where he taught at the West Central Academy for three years. The five years that followed were spent as head of the piano department at a Brethren institution, Bridgewater College, Bridgewater, Va. The winter of 1905 was spent at the American Conservatory of Music in Chicago, and in the fall of 1906, he came to Goshen College to head the music department, making at this point a definite beginning in his work for the Mennonite Church. In spite of the fact that his accomplishments insured a great future outside the Church, he happily came to Goshen, for he believed that God's plan for his life was to work for the Church and to acquaint her people, especially her young people, with better music, so that the next generation would have passed on to them a keener type of appreciation. He felt that some of the music often sung completely destroyed the spirit of the church service. "Good music," he said, "is a voice of the soul and through music we can praise and worship God 'In Spirit and in truth' if the hymns we sing come from the soul and not from swinging

turn to col. 1, page 3



JOHN D. BRUNK, 1872-1926
As he appeared in 1904

Harmonia Sacra Exhibition in Virginia

H. A. BRUNK

The forty-fourth annual old folks' singing was held at the Weaver Church near Harrisonburg, Virginia, on New Year's Day, 1946. In the morning session the moderators, J. D. Hartman and J. A. Brunk, called upon twenty-one song leaders to lead one song each from the HARMONIA SACRA. In the afternoon D. W. Lehman, Mahlon Blosser, H. D. Weaver, J. D. Golladay, Dr. J. D. Burkholder and Chester K. Lehman led the singing. A number of the more difficult selections including anthems and "minors" were sung.

A special feature of the meeting was an exhibition of old copies of editions of the HARMONIA SACRA. This was made possible through a publicity campaign put on by the editors of the Harrisonburg (Va.) DAILY NEWS RECORD at the request of the writer. The people who attended were asked to bring old and new editions of the HARMONIA SACRA. The results of the campaign were most gratifying.

The exhibition included two copies of the first edition, called GENUINE CHURCH MUSIC, published by Joseph

turn to col. 3, page 3

The 1797 North Carolina Land Swindle

IRA D. LANDIS

Among copies of the Dutch Committee for Foreign Needs in the Historical Library of Pennsylvania, in Philadelphia, references now and then for over fifty years following 1709 mention in correspondence Mennonite brethren in Pennsylvania, Virginia and Carolina. The New Bern (N. C.) settlement in 1710 was practically wiped out by an Indian massacre, but the state has since been a place of small Mennonite and Amish settlements, yet none of lasting consequences. The document herewith might have tended in that direction IF . . .

On July 20, 1777 by the Treaty of Long Island of Holston (now in Tennessee) by a surrender of state rights of both Virginia and North Carolina "to the general Government under the Act of Confederation and the adoption of the Constitution of the United States" the Cherokee Indians were given a reservation. "This hunting ground, occupancy, etc., was all west of the Blue Ridge in what is now North Carolina and a part of what is now Tennessee and which included among other lands the French Broad Valley." In 1778 the General Assembly of North Carolina ratified and confirmed the same and prohibited the entry and grant within the boundary reserved to the Cherokees."

In 1783 the State of North Carolina moved the Cherokee boundary from the top of the Blue Ridge west to Pigeon River. The Cherokees objected to the right of any state to limit their territory without their consent. This necessitated the Treaty of Hopewell of Nov. 28, 1785. By this treaty the Cherokees were permitted to murder any whites in their territory and the "Cherokees accordingly murdered many whites." "Citizens of the United States or persons other than Indians who settle or attempt to settle on lands west or south of said boundary and refuse to remove within six months after ratification of this treaty do forfeit the protection of the United States, and the Indians (are privileged) to punish them or not, as they please." Section six of the 1783 treaty was declared valid by the North Carolina Assembly of 1809, the State Supreme court, Strother vs. Cathey 1807, and the United States Supreme Court in the famous Latimer vs. Potet suit of 1840. Disregarding the treaty, Governor Ashe of North Carolina gave a grant on April 3, 1797 for 200,960 acres of Cherokee Indian lands to Hildeman and Eshleman of Lancaster County.

It was a large part of Jackson, Swain and Macon Counties, then Buncombe, drained by the Little Tennessee River. This deed for Grant 279 is found, in spite of the Asheville Civil War fire, in Records of Buncombe County, Deed Book S2-2 P 421 and Lancaster County Court House, Deed in Trust Book 1, pp. 224-227.

Lancaster County Mennonites had lands not only at home, but in Virginia and elsewhere. This was only seven and ten years before they received the large grants in Ontario. This scheme to interest Lancaster County capital in a big way was sponsored by John Haldiman, a Donegal yeoman, who had lands also in the Hempfields and Jacob Eshleman, Jr., of Strasburg. Eshleman was married to Barbara, daughter of Jacob Groff, and was a farmer also.

The document including many prominent Mennonites of the Lampeter, Conestoga and Manor Townships follows:

John Haldiman, et al.

to

Abraham Witmer, et al.

To all people to whom these presents shall come, John Haldiman and Jacob Eshleman, both of the County of Lancaster and State of Pennsylvania, send Greetings. Whereas the State of North Carolina by Letters Patent under the hand of Samuel Ashe, Esquire, Governor, and the great seal of the same State dated the third day of April in the year of our Lord one thousand seven hundred and ninety seven for the consideration therein mentioned, did give and grant unto the said John Haldiman and Jacob Eshleman, a certain tract of land containing two hundred thousand nine hundred and sixty acres, lying and being in the County of Buncombe on the waters of the Tennessee, Tuckasage [Tuckasegee] and Nantahale [Nantahala] Rivers, all waters of the Tennessee (in the said state of North Carolina). BEGINNING at a white oak, locust and hickory at a small spring, about thirty poles from the Unantele Creek and on the north side of the said creek, running north fifteen degrees West eight thousand one hundred poles bounded by a mountain to Tuckasage River, crossing same at or joining Cathcart's lands to a white oak. Thence south seventy five degrees West four thousand poles to a Poplar crossing Tennessee River and along Andrew Beard's Land; thence South fifteen degrees East four thousand poles to two white oaks; thence North fifteen degrees West seven hundred poles to place of Beginning, as by plot thereto annexed doth appear, together with all woods, waters, inesm, minerals, hereditaments and appurtenances to the said land belonging or appertaining. To hold to the said John Haldiman and Jacob Eshleman, their heirs and assigns forever as in and by said letters patent registered in Register's Office in Buncombe County in Book 2, p. 421. Reference thereto being had will more fully and at large appear. Now know ye that the said recited patent was so made and taken to and in names of them, the said John Haldiman and Jacob Eshleman and the said described tract of land with the appurtenances was so grant-

ed unto them, in trust to and for the proper benefits and behoof of them the said John Haldiman and Jacob Eshleman and the several persons hereinafter named, all of the said County of Lancaster and their several and respective heirs and assigns forever as tenants in common and not as joint tenants according to the several parts, shares and quantities and numbers of acres hereinafter specified (being in undivided parts or shares of the whole tract of land aforesaid), that is to say six thousand acres thereof to and for the use and behoof of the said John Haldiman, his heirs and assigns forever. (Following the latter formula, the following men get the following acres:)

Jacob Eshleman)	18000
Christian Herr, Sr.	1500 A.
Abraham Witmer	24000
John Leaman	3000
David Brubacher	3000
Martin Bear	3000
Benjamin Witmer, Jr.	3000
George Bressler	6000
George Ruth	3000
Abraham Buckwalter, Jr.	9000
John Buckwalter	3000
Abraham Breneman	4500
John Hambricht	3000
Gotlieb Nauman	3000
Peter Miller	3000
Benjamin Witmer, Sr.	1500
Daniel Witmer	3000
Philip Gloninger	3000
John Brackbill	1500
Christian Herr	1500
Jacob Neff, Jr.	9000
Francis Kendig	1500
John Funk	3000
John Herr, Jr.	9000
Jacob Huber	2000
Christian Hauser	3000
Christian Brenneman	3000
Jacob Brenneman	6000
Andrew Bauman	3000
Jacob Greider	3000
Jacob Musser	9000
Peter Musser	6000
Christian Herr (Manor)	6000
John Herr (Manor)	6000
Abraham Herr (Manor)	3000
John Hurst	3000.
John Musser	3000
James Boyd	3000
Wendel Bowman	3000
John W. Kittera and	
John Musser	9960
	200,960A.

And further they the said John Haldiman and Jacob Eshleman do and each of them doth by their presents declare promise and agree that the survivor of them the said John Haldiman and Jacob Eshleman shall and will at any time at and upon reasonable request and proportionate costs and charges of the several persons hereinbefore named, their respective heirs and assigns or of a majority of them duly make and execute any proper deed or deeds of conveyance and said tract of land with appurtenances unto such person or persons and as the said several persons hereinbefore named, their respective heirs and assigns or a majority of them shall direct and appoint who shall and will immediately thereupon

by endorsement or endorsements upon the back of such deed of conveyance duly regrant, reconvey and assure the aforesaid tract of land with the appurtenances unto the survivors of them, the said John Haldiman and Jacob Eshleman and such other person or persons as they the said several persons hereinbefore named, their respective heirs and assigns or a majority of them, shall direct and appoint as joint tenants in trust nevertheless to and for the use and purposes hereinbefore expressed and declared. On witness whereof the said John Haldiman and Jacob Eshleman have hereunto set their hands and seals this sixth day of September in the year of our Lord one thousand seven hundred and ninety seven. Signed, sealed and delivered in the presence of us,

Andrew Groff John Haldiman—His seal
John Witmer Jacob Eshleman—His seal

On June 5, 1830 John Haldiman the only surviving Trustee appeared in the Lancaster Court House to have the above recorded. Id.

These forty one "legally secured land holders" of wild cat stock were among the most prosperous and influential Mennonites and ruralites of the county. Abraham Witmer built the first bridge of the Conestoga at Bridgeport east of the city in 1788 and a permanent stone bridge in 1800 at his own expense. This practically ruined him and his brother Henry, "the Borough of Lancaster Gentleman." These two with Martin Bear, son of Minister Martin Bare, Benjamin Witmer, Sr., and Benjamin Witmer, Jr., were of great assistance to the Mellinger congregation in the early days. The Buckwalters and John Herr, Jr., of Wheatland Mills were not far away. George Bressler, John Brackbill, John Funk and Minister Jacob Neff, Jr., of Strasburg were among the Strasburg leaders. Jacob Huber, Christian Hauser and some of the Herrs were from the Brick. Wendel Bowman built the Emanuel Neff Mill between Strasburg and Lampeter. Three of the Herrs were in the Manor. Nauman was at one time in Manheim Township. David Brubaker was along Brubaker's Run east of Rohrertown. Some I have not definitely located.

Most of the adjoining claims were contested as far as the United States Supreme Court, but since these were mostly Mennonites no such suit developed. How much money was lost, I have no way of knowing. That none ever colonized it seems certain. George Bressler's children were scattered from central Pennsylvania to Ohio, but not in the North Carolina Cherokee Indian Reservation nor the Great Smoky Mountains National Park. Most of the rest remained here. The name Whitmire (Witmer), Messers (Musser) and a few other names that might have a similarity to Mennonite names are found in Buncombe County to-day. The evidences at hand would lead us to believe that all was lost—of course, only money.

My observations are three-fold:

- (1) Invest at home where you can see it—not five hundred and more miles away.
- (2) Regardless of how good your friend is and how glowing his descrip-

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

650459

John Horsch on His Faith and Life

Scottsdale, Pa. November 25, 1927.

Professor John Theodore Mueller, Th.D.,
Concordia Theological Seminary,
St. Louis Mo.

My dear Professor Mueller:

Your kind letter of the 16th inst. is before me. I have carefully noted its contents and shall without apology attempt to answer your questions.

I was born almost exactly sixty years ago near Wuerzburg in Bavaria. My ancestors on both sides for many generations were Mennonites. My father and both grandfathers, also one of my great-grandfathers, were ministers (elders). I came to this country forty-one years ago to escape military service, having conscientious objections against it. In America I attended for about 3 1/2 years Northwestern College, Naperville, Ill., German Wallace College, Berea, Ohio and the University of Wisconsin. For a number of years I was editor of the "Herold der Wahrheit," the German organ of the group of Mennonite churches with which I am connected. The publication of this paper was discontinued about 30 years ago. (The publishers were the Mennonite Publishing Company, Elkhart, Ind.) At Elkhart I was joined in marriage to Christina Funkh. We have four children, all active church members. In 1908 the interests of the Mennonite Publishing Company were bought by the Mennonite Publication Board and the Mennonite Publishing House, of Scottsdale, Pa., was established by this Board. At that time I accepted a position of a general editorial nature with the Mennonite Publishing House. I have collected the comprehensive "Mennonite Historical Library" and a few months ago was appointed by the "Mennonite General Conference" to write a history of the Mennonite Church. The titles of the main books I have written are given on the title page of "Modern Religious Liberalism."

As concerns my doctrinal viewpoint I need not enlarge on the fundamental doctrines of the faith. Let me say that in point of my personal apprehension of the saving truth of the Gospel I was for many years groping in darkness in the attempt to work myself into a condition where I would be worthy of God's grace. I failed to realize my real condition and consequently failed to grasp the Gospel message. And then, as a young man, the reading of modernistic literature had a detrimental effect on my religious thinking but was at last led to see the emptiness and deceptiveness of liberalism. Only gradually I obtained light as to my real need and the essential truth of the Gospel. As regards my position on this all-important point I cannot do better than to refer you to Luther's "Was ist das?" on the second article of the creed in his Small Catechism. Outside of Scripture I have not found anything yet which for a short statement is quite as satisfactory as this. And, by

the way, I have a partiality for the German original of this passage. It seems to lose some of its force by translation.

It may interest you that as a boy and youth I frequently and while at school in Wuerzburg regularly attended services in the Lutheran Church. At Elkhart, Ind., I for the first time attended services in a church of the Missouri Synod, a Rev. Heinze with whom I became acquainted being the minister. At other places I attended churches of your synod and have for a long time read the *Lutheraner* and later the *Lutheran Witness* and also *Lehre und Wehre*.

It is certainly interesting and affords real satisfaction and encouragement to know that Concordia Seminary, the largest theological seminary in America, has not a single modernist, neither among the students nor among the professors and that modernists are not tolerated in your church. It has interested me very much to take notice from the publications of your synod of your unquestionable loyalty to the old faith and of the unmistakable evidences of the determination "to be Christians in earnest," to use an expression from Luther's "Deutsche Messe." I wish that concerning the attitude of the Mennonite Church as a whole toward liberalism the same could be said. It is true that we (speaking of the Missouri Synod and the conservative Mennonites) do not see alike on all doctrinal points and the differences are such as to exclude a general working together. But a thousand times rather would I see the Lutheran Church remaining strictly Lutheran and holding fast to the Gospel of salvation through the blood of Christ than take a position such as is held by some of our modernistic Mennonites, though I agree with them on certain points.

Some of the students of Concordia Seminary desire a word from me. It is superfluous to say here that you have chosen the highest calling within human reach. I am sure that you realize the contrast between Concordia Seminary and the many seminaries of our land in which the truth of the Gospel is being questioned and doubted and denied, where learned men bend their energies upon convincing the students that the Bible is a human book and the Christian religion is the product of natural development; where students are trained in the art of sowing doubt and unbelief in the hearts of men and to do this under a semblance of preaching the Gospel; in other words, the highest calling is perverted into the very opposite. A comparison of this sort may be of service toward a keener appreciation of the privilege of being trained under influences such as prevail in Concordia Theological Seminary. May you in time go forth as faithful witnesses to the truth of salvation through the blood of Christ.

With the hearty wish of the continued blessings of the Lord upon Concordia Seminary I remain

Very sincerely yours

[Unsigned, but by John Horsch]

John D. Brunk and Mennonite Hymnody

John C. Wenger

John D. Brunk (1872-1926) wrote a goodly number of hymns (tunes) which have been adopted in the two major hymnals of the Mennonite Church. THE CHURCH AND SUNDAY SCHOOL HYMNAL, published in the year 1902, contains the following Brunk tunes: "Watchman's Call" (57); "Dublin" (178); "Hagerstown" (212); "Vespers" (287); "Lilies of the Field" (361); "The Light of the World" (382); "No Abiding City Here" (390); "Jesus the Teacher" (391); "Come to Me" (395); and "Benediction" (412). The first two were arranged by Brunk while the others were his compositions. Of these perhaps the two greatest are numbers 212 and 382. The first has with it the great hymn of Isaac Watts, "Great God, indulge my humble claim"; it is said that Brunk very highly regarded Watts as a hymn writer. The second of these grand musical compositions is "Ye are the Light of the World," a beloved hymn in Mennonite circles. The first has a sort of gentle rhythm and a flowing melody; the tune runs gently up and down the scale like the skyline of the Shenandoah Valley of Virginia, Brunk's home as a boy, youth and young man. (Walter E. Yoder has made this observation.) The second, "Ye are the Light of the World," is more spirited melody.

In 1911 Mennonite Publishing House added a SUPPLEMENT to the CHURCH AND SUNDAY SCHOOL HYMNAL. Five Brunk tunes appear in the SUPPLEMENT: "Watts" (413); "In Thy Holy Place" (434); "Love at Home," Brunk's arrangement (444); "I Heard the Voice of Jesus Say" (472); and "Sweetest Hosannas" (480). It is the opinion of the writer that the greatest of these is that associated with Brunk's favorite writer, Isaac Watts, "Before Jehovah's Awful Throne" (413), a truly great musical composition. Many Mennonites would undoubtedly prefer "I Heard the Voice of Jesus Say" because of the lively melody it has. But a love for "Watts" grows upon one.

Brunk had served as Musical Editor of the 1902 Hymnal as well as of its 1911 Supplement. He was assigned the same position for the CHURCH HYMNAL, MENNONITE which appeared the year after he died. The preparation of this book for the press was the crowning work of Brunk's life. His work, together with that of the Hymn Editor, will stand the test of time. But here his greatest work was not as a composer but as an editor. Eight hymns were included from the old hymnal and its supplement, and he added only four new ones of his composition: "Behold the Man" (109) and "The Prayer Upon the Mountain" (227), both by Brunk's friend, John W. Wayland of Virginia; "Alone with Thee" (438) and "We Would See Jesus" (510).

Humanly speaking, it was a tragedy that ill health and an early death cut short the creative work of John D. Brunk.



